

#18  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent of

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STEVE A. KOLENIK,  
MARLIN S. HEILMAN,  
MIECZYSLAW MIROWSKI and  
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Patent No.: 4,407,288  
Issued: October 4, 1983  
Assignee: Mieczyslaw Mirowski

For: IMPLANTABLE HEART STIMULATOR AND  
STIMULATION METHOD

**RECEIVED**

JUN 15 1995

OFFICE OF PETITIONS  
A/C PATENTS

Supplement to Application for Patent Term Extension  
Under 35 USC §156 and 37 CFR §1.740

Assistant Commissioner for Patents  
Box Patent Ext.  
Washington, DC 20231

Dear Sir:

The purposes of this supplement are: (1) to ensure that the public record indicates clearly that any specific reference to the date of October 4, 2000 in the application for term extension should not be misconstrued to imply any disclaimer regarding the operation of the recent amendments to 35 USC §154; and (2) to provide the most current documentation of the payment of maintenance fees for the patent.

Regarding 35 USC §154

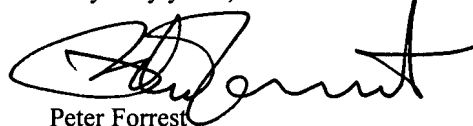
The patent issued on October 4, 1983. In the application for term extension, there are occasional references to October 4, 2000 as the expiration date of the patent. (There were no terminal disclaimers filed.) This was correct under the law applicable at the time the application was filed, *i.e.*, the expiration date was seventeen years from the issue date. The patent issued from an application which claimed earliest US priority from an application filed on December 11, 1980. The patent was in force on June 8, 1995. Therefore, under 35 USC §154(c)(1) (as amended effective December 8, 1994), the unextended expiration date of the patent is now twenty years from the December 11, 1980 filing date, or December 11, 2000. Applicable statutes and regulations clearly establish that the pending term extension, if granted, will be added to December 11, 2000, not October 4, 2000.

Regarding Maintenance Fees

Enclosed is a copy of the latest Maintenance Fee Statement for the patent, showing the payment of the twelve year maintenance fee which came due and was paid in due course after the filing of the application for term extension.

A single original and four duplicates of this supplement are provided for your convenience. If you have any questions, please contact me at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Peter Forrest', written over a horizontal line.

Peter Forrest  
Registration Number 33,235  
Attorney of Record

June 14, 1995

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## MAINTENANCE FEE STATEMENT

The data shown below is from the records of the Patent and Trademark Office. If the maintenance fees and any necessary surcharges have been timely paid for the patents listed below, the notation "PAID" will appear in column 10, "status" below.

If a maintenance fee payment is defective, the reason is indicated by code in column 10, "status" below. An explanation of the codes appears on the reverse of the Maintenance Fee Statement. **TIMELY CORRECTION IS REQUIRED IN ORDER TO AVOID EXPIRATION OF THE PATENT. NOTE 37 CFR 1.377. THE PAYMENT(S) WILL BE ENTERED UPON RECEIPT OF ACCEPTABLE CORRECTION. IF PAYMENT OR CORRECTION IS SUBMITTED DURING THE GRACE PERIOD, A SURCHARGE IS ALSO REQUIRED. NOTE 37 CFR 1.20(k) and (l).**

If the statement of small entity status is defective the reason is indicated below in column 10 for the related patent number. **THE STATEMENT OF SMALL ENTITY STATUS WILL BE ENTERED UPON RECEIPT OF ACCEPTABLE CORRECTION.**

ITM NBR	PATENT NUMBER	FEE CDE	FEE AMOUNT	SUR CHARGE	SERIAL NUMBER	PATENT DATE	FILE DATE	PAY SML YR ENT ST
1	4,407,288	185	2900	----	06/243,801	10/04/83	03/16/81	12 NO PA

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If the "status" column for a patent number listed above does not indicate "PAID" a code or an asterisk (\*) will appear in the "status" column. Where an asterisk (\*) appears, the codes are set out below by the related item number. An explanation of the codes indicated in the "status" column and as set out below by the related item number appears on the reverse of the maintenance fee statement.

ITM  
NBR

ATTY DKT  
NUMBER

1 Y153A

**DIRECT THE RESPONSE TOGETHER WITH ANY QUESTIONS ABOUT THIS NOTICE TO:**  
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